

MRM:SKW

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

MANUEL GEOVANNY TORRES RIVAS,

(T. 18, U.S.C. §§ 2251(a) and 2)

Defendant.

----- X

EASTERN DISTRICT OF NEW YORK, SS:

DEBRA GERBASI, being duly sworn, deposes and states that she is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations (“HSI”), duly appointed according to law and acting as such.

In about and between September 2019 and October 7, 2020, within the Eastern District of New York and elsewhere, the defendant MANUEL GEOVANNY TORRES RIVAS did knowingly and intentionally employ, use, persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, which visual depictions were produced using materials, that had been mailed, shipped and transported in and affecting interstate and foreign commerce and which visual depictions were transported and transmitted using a means and facility of interstate and foreign commerce.

(Title 18, United States Code, Sections 2251(a) and 2)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ OCT 07 2020 ★
LONG ISLAND OFFICE

MJ 20-0928

The source of your deponent's information and the grounds for his belief are as follows¹:

1. I have been a Special Agent with HSI since 2002. I am currently assigned to the Child Exploitation Group. In that capacity, I investigate violations of criminal law relating to child pornography and the sexual exploitation of children. I have gained expertise in these types of investigations through training in classes and seminars and daily work related to conducting these types of investigations. As part of my responsibilities, I have been involved in the investigation of numerous child pornography cases and have reviewed thousands of photographs depicting children (less than eighteen years of age) being sexually exploited by adults.

2. I have personally participated in this investigation discussed below. I am familiar with the facts and circumstances of this investigation from my personal participation in the investigation, my review of documents, my training and experience, and discussions I have had with other law enforcement personnel concerning the creation, possession, distribution and proliferation of child pornography. Additionally, statements attributable to individuals herein are set forth in sum and substance and in part.

3. On or about September 19, 2019, HSI was contacted regarding an incident that took place on September 18, 2019 in Bloomfield, Connecticut at Global

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

Experience Magnet School. A student (“MCV1”) had received a video on Snapchat that appeared to be child pornography. Detectives spoke to MCV1, who stated that on September 15, 2019, the Snapchat user name “geovanny_z6134” and display name “GEO” requested to follow her. MCV1 stated she did not know who “GEO” was, however, she accepted the friend request anyway. MCV1 stated that “GEO” privately messaged her first and they conversed for a few days. MVC1 then stated that “GEO” sent her a video she believed to be pornographic in nature.

4. On September 18, 2019, an emergency request to Snapchat for subscriber information, chat logs, snaps, stories, and location data for the user “geovanny_z6134” was submitted. Information provided in response indicated that the account was created on July 30, 2019 using an IP address of 68.195.73.244.

5. An open source internet search for the IP address 68.195.73.244 showed the address is associated with the internet service provider Optimum. On September 19, 2019 law enforcement contacted Optimum and requested an emergency disclosure of subscriber information for the IP address 68.195.73.244. Optimum provided that the IP address was subscribed to Mercedes Garcia at a private residence in Hempstead, New York 11550 (the “Hempstead Residence”).

6. On June 29, 2020, Snapchat reported to the National Center for Missing and Exploited Children that on June 29, 2020, a Snapchat account user with the user name “geovr19” had uploaded approximately 28 images containing child pornography to Snapchat.

I reviewed all 28 images reported by Snapchat to the NCMEC and confirmed that they each contain child pornography.

7. Further investigation revealed that these uploads from “geovr19” were made from the same IP address used by “geovanny_z6134” in September 2019 to communicate with MCV1.

8. On October 2, 2020, the Honorable Kathleen Tomlinson signed a warrant to search the Hempstead Residence in Hempstead, New York and to seize evidence, including electronic devices.

9. On October 7, 2020 at approximately 7:00 a.m., law enforcement officers executed the warrant at the Hempstead Residence in Hempstead, New York. The defendant was present during the execution.

10. On October 7, 2020, pursuant to the October 2, 2020 search warrant, HSI agents conducted a cursory review of the defendant’s iPhone and located the following files:

- a. a video file titled 31D574C8-3178-4D3A-B191-93A2B680CB1Cmedium.MP4 that depicts a prepubescent girl laying on a bed wearing black leggings while the defendant MANUEL GEOVANNY TORRES RIVAS attempts to insert his penis into the girl’s vagina.
- b. a video file titled cplAZmRXONQNyMODDzqCsI6zILHtgccq.mp4 that depicts the same prepubescent girl taking something out of a refrigerator while the defendant MANUEL GEOVANNY TORRES RIVAS presses his erect penis against the girl’s buttocks.
- c. a video file titled 5CC98652-8932-4537-A309-720EE0722B02.medium.MP4 that depicts the same prepubescent girl

laying on a bed wearing grey leggings while the defendant MANUEL GEOVANNY TORRES RIVAS pulls her pants down and touches her buttocks.

11. During the search, the defendant spoke with HSI agents. In sum and substance, the defendant made the following statements:

- a. The defendant acknowledged that he was the adult male in the video files described above.
- b. The defendant stated that girl in the video files was underage.
- c. The defendant stated that the girl in the video files was his mother's friend's daughter.
- d. The defendant stated that he touched the girl on two occasions; the most recent time was "last winter."
- e. The defendant stated that he touched the girl's buttocks and pulled her pants down.
- f. The defendant stated that he used the Snapchat username "geovr19" to send child pornography.
- g. The defendant stated that he spoke with underage girls over Snapchat using the username "geovr19."
- h. The defendant stated that he masturbated while viewing child pornography.
- i. The defendant stated that he viewed child pornography in "groups" on the messenger application WhatsApp.


12. Based on the foregoing, I believe that the defendant MANUEL GEOVANNY TORRES RIVAS knowingly and intentionally employed, used, persuaded, induced, enticed and coerced a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct.

WHEREFORE, I respectfully request that the defendant, Manuel Geovanny Torres Rivas, be dealt with according to law.

A handwritten signature in cursive script, reading "Debra Gerbasi", written over a horizontal line.

DEBRA GERBASI
Special Agent
United States Department of Homeland Security,
Homeland Security Investigations

Sworn to before me by telephone this
7th day of October, 2020

A handwritten signature in cursive script, reading "AK Tomlinson", written over a horizontal line.

THE HONORABLE KATHELEEN TOMLINSON
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK